

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

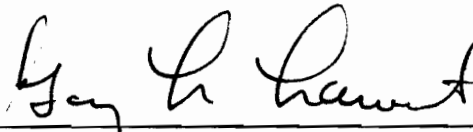
MARCY NAPIER,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 06-1368
)	
CITY OF NEW CASTLE,)	Judge Lancaster
ANTHONY LAGNESE,)	Magistrate Judge Hay
CHRISTOPHER BOUYE,)	
JOHN DOE 1-10,)	
)	
Defendants.)	

ORDER

AND NOW, this 3rd day of July, 2007, after the plaintiff, Marcy Napier, filed an action in the above-captioned case, and after a Motion to Dismiss, or in the Alternative, Motion for Summary Judgment was filed by defendants, City of New Castle, Anthony Lagnese and Christopher Bouye, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by plaintiff, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion to Dismiss, or in the Alternative, Motion for Summary Judgment (Docket No. 4) is GRANTED. Plaintiff's Section 1983 claims for malicious prosecution against all defendants and her state law claim for malicious prosecution against all individual defendants remain.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order she must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

A handwritten signature in black ink, appearing to read "Gary L. Lancaster", written over a horizontal line.

GARY L. LANCASTER
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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